

**Topsfield Planning Board**  
September 18, 2007

Chairman Morrison called the meeting to order at 7:30 PM. Board members present were Martha Morrison, Janice Ablon, Gregor Smith, Ian deBuy Wenniger, Robert Winship. Roberta Knight, Community Development Coordinator was also present.

**Visitors:** Selectman Dick Gandt

**NEW BUSINESS:**

Chairman Morrison reviewed the action items that resulted from the joint discussion with the Zoning Board of Appeals on September 4<sup>th</sup>:

**Height Definition:** Ms. Morrison noted that she has spoken with Ara Aftindilian who has agreed to provide Inspector of Buildings Glenn Clohecy with plans for Topsfield Station and the Bicycle Shop. Mr. Clohecy will then use these plans to compare the height calculation between the town's current definition and the State definition. Once a comparison is made in regards to height, the Planning Board can then make a recommendation whether to change how the Town calculates height to the State definition.

**Section 5.06 Violations:** Chairman Morrison noted that the Board of Selectmen and the Town Administrator would deal with the issue of criminal and non-criminal enforcement of zoning violations, and revisions to said language.

**Sign By-law:** Chairman Morrison stated that this would simply be a switch in the numeration order of Section 13.5B2 and 13.5B3

**Two Business Highway Districts:** The Board discussed issues of acceptable uses for the areas that may include Business-Villages uses; current lot sizes along Route 1 in regards to density and dimensional regulations; buffer strips between commercial and residential abutting areas currently at 50 feet; and parking by-law standards relative to revisions to the current Business Highway District into two separate proposed districts. Chairman Morrison volunteered to draft the "first draft" of the proposed by-law to create two separate BH districts to be used as the basis for discussion by the Master Planning Committee. Member Gregor Smith would forward his proposed draft use table that includes BV uses for the two BH districts so that the proposed table may be incorporated into the initial draft by-law.

**Agricultural By-law:** Chairman Morrison noted that Zoning Board Chairman Bob Moriarty would investigate the status of compliance of the Town's By-law with Mass General Laws.

**Small Subdivision Process:** Chairman Morrison noted that it was the general consensus of the joint meeting that there would be no proposed revisions for small subdivisions. The Planning Board would deal with small subdivisions on a case-by-case basis, and further, the Board would not develop any standards.

Member Ian deBuy Wenniger arrived at 8:41PM.

**120 High Street Conservation Restriction:** The Board discussed the latest revision of the Conservation Restriction for 120 High Street that is different from the provisions of the Open Space Deed approved and held by the Planning Board. The Board noted that the proposed Restriction prohibits all building and no bikes on the site (Reference II A. 1. a. d. and f.). The Planning Board's main concerns relative to the Conservation Commission's proposed Restriction were the lack of access to the site (need boardwalks to access land over wetlands), and the fact that a Third Party Administrator is required to hold the restriction. The Conservation Commission cannot legally hold the restriction since it is Town property. Member Ian deBuy Wenniger noted that the Restriction per the Open Space Deed should permit passage over the wetlands to allow uses stated in the Deed. The Third Party Administrator through a Management Plan would then outline the permitted uses, and prohibit any uses that would be destructive to the area. Member Bob Winship volunteered to draft a written response to the Conservation Commission noting the Planning Board's concerns.

**Rail Trail:** Chairman Morrison noted the recent discussion that occurred at the Selectmen's meeting between rail trail abutters and the Selectmen concerning the section of the trail from Washington Street to the Proctor School that is owned by the Town. Ms. Morrison also noted that the Planning Board had included the "Rail Trail" development into its published "Community Development Strategy" (CDS of 2003) as part of the Planning Board's strategy of planning for future community development.

### **Minutes:**

Member Gregor Smith made the motion to approve the minutes of September 4, 2007 as amended; seconded by Jan Ablon; so voted 5-0.

Member Ian deBuy Wenniger made the motion to approve the minutes of the Joint Planning Board/Zoning Board meeting of September 4, 2007; seconded by Gregor Smith; so voted 5-0.

The meeting was adjourned at 10:04 PM.

Respectfully submitted,

Roberta M. Knight  
Community Development Coordinator